



5 SOCIAL SECURITY DISABILITY Q&AS

Filing for SSDI?
Steps to Take for a Successful Claim



What Morgan & Morgan Can Do for You

As your representative, we can help you:

- ☐ **Complete an application for benefits**
- ☐ **File an appeal if you have already been denied**
- ☐ **File any future appeals**
- ☐ **Retrieve medical records from your doctors**
- ☐ **Submit all evidence to social security on your behalf**
- ☐ **Provide guidance in completing questionnaires from social security**
- ☐ **Communicate with social security on your behalf**
- ☐ **Prepare you for and attend the hearing with you**

What Do I Need to Medically Qualify?

In order to qualify for Social Security Disability Insurance (SSDI), you must have medical condition that meets Social Security's (SSA) definition of disability. SSDI benefits are eligible only to those with a severe and long-term total disability.



SEVERE:

Your condition(s) must interfere with basic work-related and daily activities.



LONG-TERM:

Your condition has lasted, or is expected to last, at least one year.



TOTAL DISABILITY:

You are not able to perform "substantial gainful activity" (SGA).



What Is the Process?

Social Security follows a sequential evaluation process to determine if you are medically eligible for benefits:

- ☐ **Whether you are working;**
- ☐ **The severity of your medical impairment(s);**
- ☐ **Whether your impairment(s) meet a Social Security disability “listing” (approval criteria for certain impairments);**
- ☐ **Whether you are able to do your past job, and if not;**
- ☐ **Whether you can be expected to do any type of job given your limitations, age, education, and skills**

What Happens When My Claim Is Denied?

The majority of initial Social Security applications are denied. If you fall in this category, an appeal must be filed within 60 days of your denial date.

The first step of the appeal process, in most states, is the Request for Reconsideration, which is a review of your file by another claims examiner.

If denied again, you can then Request a Hearing with an Administrative Law Judge (ALJ). At this hearing, you will be allowed to present evidence and testify about your conditions and limitations. It is your right to have a representative present at this hearing.

If denied by an ALJ, a third appeal to the Appeals Council may be completed on a case-by-case basis.





What Type of Benefits Can I Apply for?

In addition to medical eligibility you must have also worked a certain number of years in a job where you paid Social Security (FICA) taxes. Specifically, you need to have earned a certain number of work credits.

☐ **Disability Insurance Benefits (DIB):**

Individuals who have worked a certain number of years and paid into the Social Security system can apply for disability insurance benefits based upon their earned work credits.

☐ **Supplemental Security Income (SSI):**

Individuals who meet strict financial limitations can apply for this need-based program. Eligibility requirements include a very-limited household income and limited assets.

Are Mental Impairments Considered?

Social Security goes through the same process when a disability claimant files for disability due to cognitive, emotional, psychiatric, or psychological impairment. These conditions will be considered alone or in combination with any physical impairments.

Our Attorneys Can Help

Have you been denied by social security? Please [contact us today](#) for a free, no-obligation case evaluation. Our social security attorneys have successfully handled thousands of cases and may be able to help you with your claim.

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